

(2) NATIONAL SECURITY LABORATORY; NUCLEAR WEAPONS PRODUCTION FACILITY.—The terms “national security laboratory” and “nuclear weapons production facility” have the meanings given those terms in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)).

(3) PROSPECTIVE EMPLOYEE.—The term “prospective employee” means an individual who—

(A) has applied for a position of employment with a national security laboratory or nuclear weapons production facility; or

(B) may apply for such a position of employment during the 48-month period after receiving education or training under subsection (a).

**SA 4601.** Mr. LUJÁN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXXI, add the following:

**SEC. 3157. ASSESSMENT OF TRANSFER OF LAND NO LONGER NEEDED FOR OPERATIONS AND MISSIONS AT LOS ALAMOS NATIONAL LABORATORY.**

(a) SITE VISITS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall arrange for personnel of the National Nuclear Security Administration to conduct site visits with officials of Los Alamos County, New Mexico, and the Pueblo of San Ildefonso, of covered parcels of land to assess whether those parcels should be transferred to the County or Pueblo.

(2) ASSESSMENTS AND IDENTIFICATIONS.—

After the site visits required by paragraph (1) are conducted, the Administrator shall—

(A) with respect to each covered parcel of land, assess—

(i) the remediation needs of the parcel;

(ii) the environmental and archeological impacts of transferring the parcel; and

(iii) the access Tribes have to traditional areas of cultural or religious importance; and

(B) identify whether all portions of the covered parcels of land within the technical areas specified in subsection (c)(2) are, or are anticipated to be, necessary to the operations and missions of the Administration at Los Alamos National Laboratory.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with officials of Los Alamos County, New Mexico, and the Pueblo of San Ildefonso, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

(1) describing the findings of the site visits required by subsection (a);

(2) including the assessments and identification required by subsection (a)(2);

(3) assessing—

(A) the environmental costs of transferring covered parcels of land;

(B) the potential impacts of such transfers on endangered species in the area;

(C) the disturbance or encroachment on any archeological sites likely to result from such transfers;

(D) opportunities to improve any safety buffers around critical facilities; and

(E) whether such a transfer would—

(i) assist the National Nuclear Security Administration with recruitment at Los Alamos National Laboratory;

(ii) improve available housing for employees of that laboratory; and

(iii) increase the ability of a Tribal Government or Tribal members to access cultural resources and access or acquire lands of cultural significance; and

(4) including a safety and security determination with respect to each covered parcel of land, without regard to whether the parcel can be transferred.

(c) COVERED PARCEL OF LAND.—The term “covered parcel of land”—

(1) means a parcel of land—

(A) located in Los Alamos County, New Mexico;

(B) owned by the Department of Energy; and

(C) that the Administrator determines is not needed for operations and missions at Los Alamos National Laboratory; and

(2) includes Technical Area-36, Technical Area-70, and Technical Area-71 at Los Alamos National Laboratory.

**SA 4602.** Mr. LUJÁN (for himself, Mr. PADILLA, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, insert the following:

**SEC. 857. LIMITATION ON CONTRACT AUTHORITY TO IMPROVE REPRESENTATION IN CERTAIN MEDIA PROJECTS INVOLVING DEPARTMENT OF DEFENSE.**

(a) LIMITATION ON CONTRACT AUTHORITY.—Neither the Secretary of Defense, nor the Secretary of the Army, nor the Secretary of the Navy, nor the Secretary of the Air Force, may enter into a covered contract for any film or publishing project for entertainment-oriented media unless the covered contract includes a provision that requires consideration of diversity in carrying out the project, including consideration of the following:

(1) The composition of the community represented in the project and whether such community is inclusive of historically marginalized communities.

(2) The depiction of the community represented in the project and whether or not the project advances any inaccurate or harmful stereotypes as a result of such depiction.

(b) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing, with respect to the year covered by the report, the following information:

(1) The total number of projects for which the Secretary provided assistance pursuant to a covered contract.

(2) A summary of the projects specified in paragraph (1).

(3) A summary of the communities represented in such projects.

(4) A summary of the involvement of the Department of Defense with respect to such projects.

(c) DEFINITIONS.—In this section:

(1) The term “covered contract” means a contract or production assistance agreement entered into with a nongovernmental entertainment-oriented media producer or publisher.

(2) The term “entertainment-oriented media” includes books and other forms of print media that are entertainment-oriented.

(3) The term “marginalized community” means a community of individuals that is, or historically was, under-represented in the industry of film, television, or publishing, including—

(A) women;

(B) racial and ethnic minorities;

(C) individuals with disabilities; and

(D) members of the LGBTQ communities.

**SA 4603.** Mr. PORTMAN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1283. ECONOMIC DEFENSE RESPONSE TEAMS.**

(a) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President, acting through the Secretary of State, shall develop and implement a pilot program for the creation of deployable economic defense response teams to help provide emergency technical assistance and support to a country subjected to the threat or use of coercive economic measures and to play a liaison role between the legitimate government of that country and the United States Government. Such assistance and support may include the following activities:

(1) Reducing the partner country's vulnerability to coercive economic measures.

(2) Minimizing the damage that such measures by an adversary could cause to that country.

(3) Implementing any bilateral or multilateral contingency plans that may exist for responding to the threat or use of such measures.

(4) In coordination with the partner country, developing or improving plans and strategies by the country for reducing vulnerabilities and improving responses to such measures in the future.

(5) Assisting the partner country in dealing with foreign sovereign investment in infrastructure or related projects that may undermine the partner country's sovereignty.

(6) Assisting the partner country in responding to specific efforts from an adversary attempting to employ economic coercion that undermines the partner country's sovereignty, including efforts in the cyber domain, such as efforts that undermine cybersecurity or digital security of the partner country or initiatives that introduce digital technologies in a manner that undermines freedom, security, and sovereignty of the partner country.

(7) Otherwise providing direct and relevant short-to-medium term economic or other assistance from the United States and marshalling other resources in support of effective responses to such measures.

(b) INSTITUTIONAL SUPPORT.—The pilot program required by subsection (a) should include the following elements:

(1) Identification and designation of relevant personnel within the United States Government with expertise relevant to the objectives specified in subsection (a), including personnel in—

(A) the Department of State, for overseeing the economic defense response team's activities, engaging with the partner country government and other stakeholders, and other purposes relevant to advancing the success of the mission of the economic defense response team;

(B) the United States Agency for International Development, for the purposes of providing technical, humanitarian, and other assistance, generally;

(C) the Department of the Treasury, for the purposes of providing advisory support and assistance on all financial matters and fiscal implications of the crisis at hand;

(D) the Department of Commerce, for the purposes of providing economic analysis and assistance in market development relevant to the partner country's response to the crisis at hand, technology security as appropriate, and other matters that may be relevant;

(E) the Department of Energy, for the purposes of providing advisory services and technical assistance with respect to energy needs as affected by the crisis at hand;

(F) the Department of Homeland Security, for the purposes of providing assistance with respect to digital and cybersecurity matters, and assisting in the development of any contingency plans referred to in paragraphs (3) and (6) of subsection (a) as appropriate;

(G) the Department of Agriculture, for providing advisory and other assistance with respect to responding to coercive measures such as arbitrary market closures that affect the partner country's agricultural sector;

(H) the Office of the United States Trade Representative with respect to providing support and guidance on trade and investment matters; and

(I) other Federal departments and agencies as determined by the President.

(2) Negotiation of memoranda of understanding, where appropriate, with other United States Government components for the provision of any relevant participating or detailed non-Department of State personnel identified under paragraph (1).

(3) Negotiation of contracts, as appropriate, with private sector representatives or other individuals with relevant expertise to advance the objectives specified in subsection (a).

(4) Development within the United States Government of—

(A) appropriate training curricula for relevant experts identified under paragraph (1) and for United States diplomatic personnel in a country actually or potentially threatened by coercive economic measures;

(B) operational procedures and appropriate protocols for the rapid assembly of such experts into one or more teams for deployment to a country actually or potentially threatened by coercive economic measures; and

(C) procedures for ensuring appropriate support for such teams when serving in a country actually or potentially threatened by coercive economic measures, including, as applicable, logistical assistance, office space, information support, and communications.

(5) Negotiation with relevant potential host countries of procedures and methods for ensuring the rapid and effective deployment of such teams, and the establishment of appropriate liaison relationships with local public and private sector officials and entities.

(c) REPORTS REQUIRED.—

(1) REPORT ON ESTABLISHMENT.—Upon establishment of the pilot program required by subsection (a), the Secretary of State shall provide the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with a detailed report and briefing describing the pilot program, the major elements of the program, the personnel and institutions involved, and the degree to which the program incorporates the elements described in subsection (a).

(2) FOLLOW-UP REPORT.—Not later than one year after the report required by paragraph (1), the Secretary of State shall provide the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives with a detailed report and briefing describing the operations over the previous year of the pilot program established pursuant to subsection (a), as well as the Secretary's assessment of its performance and suitability for becoming a permanent program.

(3) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

(d) DECLARATION OF AN ECONOMIC CRISIS REQUIRED.—

(1) NOTIFICATION.—The President may activate an economic defense response team for a period of 180 days under the authorities of this section to assist a partner country in responding to an unusual and extraordinary economic coercive threat by an adversary of the United States upon the declaration of a coercive economic emergency, together with notification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) EXTENSION AUTHORITY.—The President may activate the response team for an additional 180 days upon the submission of a detailed analysis to the committees described in paragraph (1) justifying why the continued deployment of the economic defense response team in response to the economic emergency is in the national security interest of the United States.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State \$1,000,000 for each of fiscal years 2022 through 2026 to carry out the pilot program under this section.

(f) SUNSET.—The authorities provided under this section shall expire on December 31, 2026.

**SA 4604.** Mr. PORTMAN (for himself, Mr. BROWN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:  
**Subtitle H—Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021**

**SEC. 1291. SHORT TITLE.**

This subtitle may be cited as the “Otto Warmbier Countering North Korean Censorship and Surveillance Act of 2021”.

**SEC. 1292. FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The information landscape in North Korea is the most repressive in the world,

consistently ranking last or near-last in the annual World Press Freedom Index.

(2) Under the brutal rule of Kim Jong Un, the country's leader since 2012, the North Korean regime has tightened controls on access to information, as well as enacted harsh punishments for consumers of outside media, including sentencing to time in a concentration camp and a maximum penalty of death.

(3) Such repressive and unjust laws surrounding information in North Korea resulted in the death of 22-year-old United States citizen and university student Otto Warmbier, who had traveled to North Korea in December 2015 as part of a guided tour.

(4) Otto Warmbier was unjustly arrested, sentenced to 15 years of hard labor, and severely mistreated at the hands of North Korean officials. While in captivity, Otto Warmbier suffered a serious medical emergency that placed him into a comatose state. Otto Warmbier was comatose upon his release in June 2017 and died 6 days later.

(5) Despite increased penalties for possession and viewership of foreign media, the people of North Korea have increased their desire for foreign media content, according to a survey of 200 defectors concluding that 90 percent had watched South Korean or other foreign media before defecting.

(6) On March 23, 2021, in an annual resolution, the United Nations General Assembly condemned “the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People's Republic of Korea” and expressed grave concern at, among other things, “the denial of the right to freedom of thought, conscience, and religion . . . and of the rights to freedom of opinion, expression, and association, both online and offline, which is enforced through an absolute monopoly on information and total control over organized social life, and arbitrary and unlawful state surveillance that permeates the private lives of all citizens”.

(7) In 2018, Typhoon Yutu caused extensive damage to 15 broadcast antennas used by the United States Agency for Global Media in Asia, resulting in reduced programming to North Korea. The United States Agency for Global Media has rebuilt 5 of the 15 antenna systems as of June 2021.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in the event of a crisis situation, particularly where information pertaining to the crisis is being actively censored or a false narrative is being put forward, the United States should be able to quickly increase its broadcasting capability to deliver fact-based information to audiences, including those in North Korea; and

(2) the United States International Broadcasting Surge Capacity Fund is already authorized under section 316 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6216), and expanded authority to transfer unobligated balances from expired accounts of the United States Agency for Global Media would enable the Agency to more nimbly respond to crises.

**SEC. 1293. STATEMENT OF POLICY.**

It is the policy of the United States—

(1) to provide the people of North Korea with access to a diverse range of fact-based information;

(2) to develop and implement novel means of communication and information sharing that increase opportunities for audiences in North Korea to safely create, access, and share digital and non-digital news without fear of repressive censorship, surveillance, or penalties under law; and